



IN THE SUPREME COURT OF THE STATE OF MONTANA  
THE OFFICE OF THE CLERK OF SUPREME COURT  
HELENA, MONTANA 59620-3003

November 17, 2009

**NOTICE REQUIRING FILING OF AMENDED NOTICE OF APPEAL  
OR CROSS-APPEAL**

Supreme Court No.  
DA 09-0614

LAWRENCE ROEDEL,

Petitioner and Appellant,

v.

STATE OF MONTANA,

Respondent and Appellee.

FILED

NOV 27 2009

Ed Smith  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Notice of Appeal Filed was filed on November 5, 2009 in that cause of action filed in Flathead County - Eleventh Judicial District as Cause No. DV 08-1313(B). The notice does not contain the following required certification(s):

1. X That this matter \_\_\_\_ is/is not X subject to the mediation process required by M. R. App. P. 7. If subject to mediation, the money judgment being sought \_\_\_\_ is/is not X less than \$5,000.
2. X X That this matter \_\_\_\_ is/is not X an appeal from an order certified as final under M. R. Civ. P. 54(b). If this is such an appeal, a true copy of the District Court's certification order is attached to the notice of appeal/cross-appeal as Exhibit "A."
3. X NA That the notice required by M. R. App. P. 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.
4. X X That all available transcripts of the proceedings in this cause involving the issue(s) appealed \_\_\_\_ have been/have not been X ordered from the court reporter contemporaneously with the filing of this notice of appeal. If all available transcripts have not been ordered, that Appellant has complied with the provisions of M. R. App. P. 8(3) contemporaneously with the filing of this

notice of appeal.

5. X ~~X~~ That all available transcripts of the proceedings in this cause involving the issue(s) cross-appealed \_\_\_\_\_ have been/have not been X ordered from the court reporter contemporaneously with the filing of this notice of cross-appeal. If all available transcripts have not been ordered, that Cross-Appellant has complied with the provisions of M. R. App. P. 8(3) contemporaneously with the filing of this notice of cross-appeal.

6. X ~~X~~ That a copy of the notice of X appeal/cross-appeal \_\_\_\_\_ has been contemporaneously filed in the office of the Clerk of the District Court and served by mail on all attorneys of record and on all parties not represented by an attorney.

7. X ~~X~~ That the notice of appeal/cross-appeal was not accompanied by the filing fee prescribed by statute or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3. PLEASE NOTE THAT THE NOTICE OF APPEAL/CROSS-APPEAL WILL NOT BE FILED UNTIL THE FILING FEE IS PAID OR THE AFFIDAVIT FILED.

YOU ARE HEREBY DIRECTED TO CORRECT THE ABOVE-CHECKED DEFICIENCIES WITHIN 11 DAYS OF THE DATE OF THIS NOTICE AND TO BRING THE NOTICE INTO COMPLIANCE WITH M. R. APP. P. 4.

A true copy of this notice has been mailed on the date hereof to all attorneys of record and to all parties not represented by an attorney.

Dated November 17, 2009

Sincerely,



ED SMITH  
Clerk of the Supreme Court

CC  
R/h head CO Attorney  
Attorney General